

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

September 8, 2011

5:30 P.M.

MINUTES

Present: Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: Mayor Donald Kasprzak

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on September 1, 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Case; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending September 7, 2011 in the amount of \$ 270,753.46 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of September 1 – September 7, 2011
- Report from the Building Inspector's Office from April 12 – September 6, 2011

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS:

5. **AUDIT OF CLAIMS:**

RESOLVED: That the bills Audited by the Common Council in the amount of \$498,923.59 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

6. **PERSONS ADDRESSING COUNCIL:**

Susan Ford 106 Pine Street said I've been here so much in the last month, I feel like I'm taking a public speaking course. I've come because I truly believe the only way to face negativity is to acknowledge it. I am speaking about the article in the Press Republican dated September 4th that's this Sunday concerning more disputes rise over the City's River Trail. It's not totally negative but there are some things that need to be clarified in it. The first thing is the residents across the street along the river bank own the property and that they've taken it to court and the rulings have all been in favor of the city. Well, if you don't know about something it is hard to fight it, therefore, we are still in court and the last battle still has to be fought, unfortunately. The second matter is did the property follow eminent domain procedure. This is what we're in court about that's the purpose of the law suit and that's why we retain the lawyer. And monetary reimbursement as Mayor states "was some of the people's motivation to file the lawsuit" has got nothing to do with this lawsuit. It's about getting our lives back. I've been here and told you what we were offered as far as our land and it was our land \$38,000. I'm here just to tell you that you could offer me today \$100,000 and I wouldn't take it because getting my life back is more important then any money that you could offer. And for the Mayor to speculate "that it's obvious to many that the real motivation for some of these folks was to gain a profit for land that they never legally owned." Well if I never legally owned it why was I offered any money in the first place? That's yet to be answered. "I'm glad that Mr. Morgan finally admitted that is the true motivation for some of these people." I really feel that these tactics are really sad on the Mayor's part that he's got to resort to that. I really think that he must be very scared for me just a little property owner down on Pine Street to have to come here 3 times in a months time just to clarify false statements, twisted statements that have been in the paper not the full story. Thank God for Wiry that does have local access TV and does put it on TV the Common Council meetings and people have seen what's going on here. Last thing that I've got a problem with "the trail which was hatched in 2004 cost about \$1.8 million," I just want to clarify that this trail is not the same trail that they talked about 20 years ago. That was the Verdantique Park. There has always been a theory about a trail along the river. It's not the Saranac River Trail as it is today. Which by the way finalized plans were only finalized in August from what I understand from Mr. Farrington. How you get federal and state grants for a trail where you don't have finalized plans is a big question also. Ok, \$1.8 million is being paid for mostly by federal and state grants then a little sentence at the very end of the article with the city kicking in \$100,000. I wonder how many residents of the City of Plattsburgh would be willing to have their property taxes raised for the trail to be put in place as it is and as planned right now. Would they be willing to have their property taxes raised even more? The \$100,000 is just the tip of the iceberg by the time they get done finishing this catastrophe and it is a

catastrophe. Our street looks like war zone; the streets have got pot holes that are 4 and 5 inches deep on the side the cars have to go by. It's an awful situation, it really is. Anyway, that's what I'm here for. I just wanted to clarify the reason for the lawsuit. It's got nothing to do with money, me wanting money. Could I use the money? Darn right I could use the money. I don't want your money. I don't want the city's money. I don't want to be put in this position. And like I said if you offered me \$100,000 today, I would not take it because I want my money, uh, I want my land back, I want my life back as does a lot of the property owners along that street. Which we have owned and maintained for over 30 years, Thanks.

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves the Red Hummingbird Foundation to hold their annual Earthdance Celebration on Saturday, September 24, 2011 from 7:00 pm – 9:30 pm at the Lions club bandshell. In the case of inclement weather it would be held at the outside covered area of the Farmer's Market.

By Councilor Carpenter; Seconded by Councilor Jackson
Discussion:

Councilor Carpenter said that bandshell is down at the Champlain monument, correct?

Councilor Jackson said no it is at the Macdonough monument.

Councilor Carpenter said I just didn't want to go to the wrong place when I went to check it out.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to close eight capital projects dated between 2005 and 2009 as either completed or totally inactive for several years. The process of finalizing these projects will release much needed appropriated Water and Sewer Capital Reserve funds for currently active and new capital project spending.

By Councilor Rabideau; Seconded by Councilor Jackson
Discussion:

Councilor Carpenter said the only funds that it will release is for Water and Sewer Capital Reserve, nothing else.

City Chamberlain Richard Marks said those are the only funds we carry Capital Reserves balances for and every time we pass Capital project resolution it obligates some of those funds. If these

projects are scheduled 5 or 6 years those funds are obligated for that projects so we don't have funds to allocate another one.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. THE MAYOR HANDS DOWN THE APPOINTMENT OF ALTERNATE MEMBER OF THE ZONING BOARD OF APPEALS TO KARL WEISS EFFECTIVE SEPTEMBER 16, 2011 TO DECEMBER 31, 2015.
2. Request from Kevin Farrington City Engineer to advertise for bids for Contract # 2011-15 "Durkee Street Parking Lot Curb Improvements."
3. Request from Police Chief Desmond Racicot for one Police Officer to attend the "Law Enforcement Directors Association Fall Conference" in Saratoga Springs, NY from October 5 - 7, 2011 at a cost not to exceed \$363 and will be paid out of the Asset Forfeiture fund (travel expense).

10. NEW BUSINESS: None

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 5:38 pm